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September 20, 2021

VIA CERTIFIED MAIL NO. 9171 9690 0935 0216 4617 15
RETURN RECEIPT REQUESTED
AND VIA U.S. MAIL

Mrs. Stephanie R. Wiersma
Lorain County Health & Dentistry
1205 Broadway Avenue
Lorain, OH 44052-3409

RE: *The Estate of Grace Knight, Deceased, by Sarah Rucker, Executor v.*
Lorain County Health & Dentistry, et al.
Cuyahoga County Court of Common Pleas Case No. CV21953061

Dear Mrs. Wiersma:

Enclosed please find a Complaint which we received on September 20, 2021, with regard to the above-stated matter. The Complaint must be timely answered.

Sincerely yours,

BLACK RIVER CORPORATE SERVICES, INC.

By: Julie A. Vaccarelli,
President

JAV/cat
Enclosure

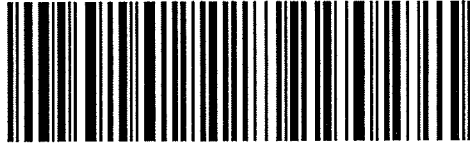
GOVERNMENT
EXHIBIT

A

NAILAH K. BYRD
1200 Ontario
Cleveland, OH 44113

Case# CV21953061

RETURN RECEIPT REQUESTED ELECTRONICALLY



9314 8001 1300 3545 5185 13



LORAIN COUNTY HEALTH & DENTISTRY
C/O BLACK RIVER CORPORATE SERVICES,
INC., REGISTERED AGENT
35765 CHESTER RD
AVON OH 44011-1262

CASE NO.
CV21953061

D1 CM

SUMMONS NO.
45463394

Rule 4 (B) Ohio

Rules of Civil
Procedure

SUMMONS

ESTATE OF GRACE KNIGHT, DECEASED
VS
LORAIN COUNTY HEALTH & DENTISTRY, ET
AL.

PLAINTIFF
DEFENDANT

LORAIN COUNTY HEALTH & DENTISTRY
C/O BLACK RIVER CORPORATE SERVICES,
INC., / REGISTERED AGENT
35765 CHESTER ROAD
AVON OH 44011

Said answer is required to be served on:



Plaintiff's Attorney

NICHOLAS A DICELLO
1001 LAKESIDE AVE. EAST

SUITE 1700
CLEVELAND, OH 44114-0000

Case has been assigned to Judge:

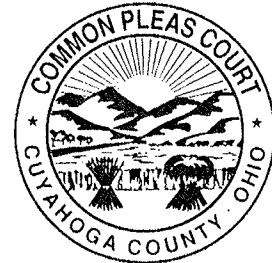
JOHN D SUTULA
Do not contact judge. Judge's name is given for
attorney's reference only.

DATE SENT
Sep 14, 2021

By _____
Deputy

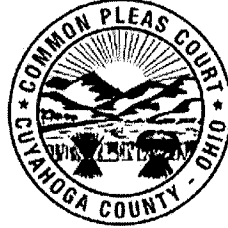
NAILAH K. BYRD
Clerk of the Court of Common Pleas

Nailah K. Byrd



COMPLAINT FILED 09/14/2021





NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: COMPLAINT
September 14, 2021 14:17

By: NICHOLAS A. DICELLO 0075745

Confirmation Nbr. 2351659

ESTATE OF GRACE KNIGHT, DECEASED

CV 21 953061

vs.

LORAIN COUNTY HEALTH & DENTISTRY, ET AL.

Judge: JOHN D. SUTULA

Pages Filed: 8

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

THE ESTATE OF GRACE KNIGHT,
DECEASED, BY SARAH RUCKER,
EXECUTOR
c/o Spangenberg Shibley & Liber LLP
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114

Plaintiff

vs.

LORAIN COUNTY HEALTH & DENTISTRY
c/o Black River Corporate Services, Inc.,
Registered Agent
35765 Chester Road
Avon, OH 44011

and

EDWARD CORNETT, D.O.
21055 Shelburne Rd.
Shaker Heights, OH 44122

and

JENNIFER CASEY, M.D.,
c/o Lorain County Health & Dentistry
1205 Broadway Ave.
Lorain, OH 44052

Defendants.

) CASE NO.

) JUDGE

) **COMPLAINT WITH CIVIL RULE 10**
) **AFFIDAVIT OF MERIT ATTACHED**

) ***[Jury Demand Endorsed Hereon]***

Plaintiff, the Estate of Grace Knight, Deceased, by and through its Executor and undersigned counsel, files its Complaint against the above-captioned Defendants and states and avers as follows:

1. This is a medical negligence and wrongful death action involving Defendants' care and treatment of Grace Knight, which led to Ms. Knight's untimely and wrongful death.

2. Sarah Rucker is the duly appointed Executor of the Estate of Grace Knight, Deceased, Lorain County Probate Case No. 2020 ES 01053.

3. Venue in Lorain County is appropriate because Defendant Edward Cornett, D.O. is a resident of Cuyahoga County.

4. Defendant Lorain County Health & Dentistry ("LCHD") is a medical corporation licensed to do business in the state of Ohio with its principal place of business located in Lorain County.

5. Defendant LCHD holds itself out to the public as offering medical services at multiple clinic sites throughout Lorain County.

6. Defendant Edward Cornett, D.O. is a physician licensed to practice medicine in Ohio, residing in Cuyahoga County.

7. On information and belief, at all times relevant, Defendant Edward Cornett, D.O. was acting within the course and scope of his employment and/or agency and/or apparent agency with and for Defendant LCHD.

8. Defendant Jennifer Casey, M.D. is a physician licensed to practice medicine in Ohio.

9. On information and belief, at all times relevant, Defendant Jennifer Casey, M.D. was acting within the course and scope of his employment and/or agency and/or apparent agency with and for Defendant LCHD.

10. Defendant LCHD is vicariously liable for its employees and agents (including apparent agents) acting within the course and scope of their employment and/or agency, including LCHD nurses, advanced level providers, and Defendants Edward Cornett, D.O. and Jennifer Casey, M.D.

11. Ms. Knight presented to and sought treatment from Defendant LCHD, including Defendants Dr. Cornett and Dr. Casey, on multiple occasions in October 2020, including for complaints of vomiting, diarrhea, flank pain, dark urine, dizziness, abdominal pain, and eventually shortness of breath.

12. Each time Ms. Knight presented to Defendant LCHD in October 2020, she was seen by Defendant Dr. Cornett, and, upon information and belief, on at last one visit, Defendant Dr. Casey was involved in Ms. Knight's care.

13. Ms. Knight looked to Defendant LCHD for her care and as the provider of that care.

14. On October 5, 2020, Defendant Dr. Cornett ordered a urinalysis for Ms. Knight.

15. On October 6, 2020, Ms. Knight's urinalysis results, per a LabCorp lab results report, revealed evidence of and was positive for a urinary tract infection ("UTI").

16. Defendants and their employees and agents, including Defendants Dr. Cornett and Dr. Casey, prescribed no antibiotics and otherwise failed to treat Ms. Knight's UTI following the results of the urinalysis, and failed to treat Ms. Knight's UTI over the course of multiple additional visits to LCHD in October 2020, despite continued symptoms and complaints consistent with an untreated and festering UTI.

17. On October 24, 2020, Ms. Knight was taken by EMS to Mercy Health Lorain Hospital where she was diagnosed with septic shock and died.

18. Ms. Knight's cause of death listed in her Certificate of Death was "septic shock with metabolic acidosis due to or as a consequence of urinary tract infection."

19. The care and treatment provided and not provided to Ms. Knight by Defendants fell below the accepted standards of care and proximately caused Ms. Knight injury and an untimely death.

20. An Affidavit of Merit pursuant to Ohio Civil Rule 10(D) is attached hereto as Exhibit 1.

FIRST CAUSE OF ACTION
(Medical Malpractice Survivorship Action)

21. Plaintiff incorporates all the foregoing allegations of this Complaint as if fully rewritten herein.

22. As a direct and proximate result of the negligence and reckless disregard of the Defendants described herein, and their employees and agents acting within the course and scope of their employment or agency, Ms. Knight, prior to her death, endured conscious pain and suffering of body and mind, was forced to incur medical expenses, and was otherwise damaged.

23. By failing to treat Ms. Knight's UTI, over the course of weeks, Defendants exhibited a conscious disregard for the rights and safety of Ms. Knight that had great probability of causing substantial harm, and did in fact proximately cause substantial harm, including death, to Ms. Knight.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, including compensatory damages in an amount in excess of Twenty-Five thousand Dollars (\$25,000), as well as punitive damages in an amount in excess of Twenty-Five thousand Dollars (\$25,000), pre-judgment and post-judgment interest, attorneys' fees, costs of suit, and any other relief this Court deems equitable.

SECOND CAUSE OF ACTION
(Wrongful Death)

24. Plaintiff incorporates all the foregoing allegations of this Complaint as if fully rewritten herein.

25. Plaintiff brings this Cause of Action pursuant to Ohio's Wrongful Death Statute, R.C. 2125.01, et seq.

26. The negligence and reckless disregard of Defendants and their employees and agents as described herein directly and proximately resulted in Ms. Knight's untimely death on October 24, 2020.

27. As a direct and proximate result of the negligence and recklessness described herein by the Defendants and their employees and/or agents, Ms. Knight's Estate and next-of-kin have suffered the damages set forth in Ohio's wrongful death statutes, including, but not limited to, medical and funeral expenses, mental anguish and grief, loss of the Decedent's support, services, society and companionship, advice, guidance, counsel, instruction, and consortium.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, for compensatory in an amount in excess of Twenty-Five thousand Dollars (\$25,000) that will fully and fairly compensate the Decedent's next-of-kin for their injuries,

damages, and losses, and all damages recoverable under Ohio's wrongful death statutes and under common law.

JURY DEMAND

Pursuant to Rule 38(B) of the Ohio Rules of Civil Procedure, a trial by jury is demanded on all the issues presented herein.

Dated: September 14, 2021

/s/ Nicholas A. DiCello

NICHOLAS A. DICELLO (0075745)

SPANGENBERG SHIBLEY & LIBER LLP

1001 Lakeside Avenue East, Suite 1700

Cleveland, OH 44114

(216) 696-3232

(216) 696-3924 (FAX)

ndicello@spanglaw.com

Counsel for Plaintiff

STATE OF NORTH CAROLINA
COUNTY OF MOORE

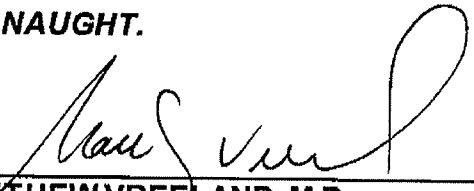
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ss: **AFFIDAVIT OF MERIT**

Now comes affiant, **MATTHEW VREELAND, M.D.**, pursuant to Ohio Civil Rule 10(D), and being first duly sworn according to law, states as follows:

1. I have personal knowledge as to the matters contained within this affidavit.
2. I am a practicing physician in the field of Emergency Medicine, licensed by the State of North Carolina. I practice emergency medicine within the First Health of the Carolinas Health System. I am board certified in Emergency Medicine, and I devote more than fifty percent (50%) of my professional time to the active clinical practice of medicine.
3. By virtue of my education, training, and experience, I am familiar with the standard(s) of care applicable to the care provided to Grace Knight at the Lorain County Health & Dentistry clinic in October 2020, including the care rendered to Grace by Edward Cornett, D.O. and Jennifer Casey, M.D.
4. I have reviewed the medical records reasonably available to the Plaintiff relating to the care and treatment provided to Grace Knight by the providers at the Lorain County Health & Dentistry clinic in September and October 2020.
5. It is my professional opinion based upon the medical records reviewed, that the providers at the Lorain County Health & Dentistry clinic, including Dr. Cornett and Dr. Casey, breached the applicable standard(s) of care with respect to the medical care and treatment rendered and not rendered to Grace Knight in October 2020.
6. It is my professional opinion to a reasonable degree of medical certainty that these breaches of the standard of care proximately caused injury to and the death of Grace Knight.

FURTHER AFFIANT SAYETH NAUGHT.



MATTHEW VREELAND, M.D.

Subscribed and sworn to before me this 7th day of September, 2021.





NOTARY PUBLIC

